

**Department of Veterans Affairs**  
**Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:**  
**Internal Complaint Activity**  
**VA-Wide**

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29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2009Q 1
	2004	2005	2006	2007	2008	
Number of Complaints Filed in FY 1614.704(a)	2220	2128	2034	1921	2118	522
Number of Complainants 1614.704(b)	2025	1921	1863	1765	1947	504
Repeat Filers 1614.704(c)	195	176	146	127	136	13

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2009 Q1
	2004	2005	2006	2007	2008	
Race	747	777	1311	1219	1450	323
Color	79	42	70	108	108	18
Religion	62	56	127	92	163	15
Reprisal	805	709	1395	1324	1654	351
Sex	596	515	951	893	1059	234
National Origin	115	132	355	249	329	53
Equal Pay Act					22	0
Age	523	449	902	728	858	249
Disability	481	523	958	871	1041	208
Other	0	74	57	92	0	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2009Q 1
	2004	2005	2006	2007	2008	
Appointment/Hire	116	64	212	123	105	32
Assignment of Duties	181	159	293	146	184	32
Awards	35	30	61	47	37	2
Conversion to Full-time	4	6	7	3	1	0
<b>Disciplinary Action</b>	<b>549</b>	<b>374</b>	<b>565</b>	<b>403</b>	<b>331</b>	<b>86</b>
Demotion	15	9	2	14	10	6
Reprimand	48	54	95	72	60	9
Suspension	92	95	213	136	107	23
Removal	207	97	0	48	62	14
Other	187	119	255	133	92	34
Duty Hours	64	52	138	46	59	10
Evaluation Appraisal	74	65	167	129	124	20
Examination/Test	6	5	4	1	1	1
<b>Harassment</b>	<b>1216</b>	<b>771</b>	<b>1901</b>	<b>1592</b>	<b>1445</b>	<b>300</b>
Non-Sexual	1162	716	1809	1465	1377	278
Sexual	54	55	92	127	68	22
Medical Examination	1	6	14	15	9	5
Pay (Including Overtime)	57	86	135	129	123	16
Promotion/Non-Selection	714	463	846	665	653	141
<b>Reassignment</b>	<b>107</b>	<b>90</b>	<b>180</b>	<b>113</b>	<b>79</b>	<b>19</b>
Denied	22	84				
Directed	85	6				
Reasonable Accommodation	100	125	179	95	117	26
Reinstatement	5	3	1	2	2	1
Retirement	12	38	50	38	23	7
Termination	5	165	262	201	191	48
Terms/Conditions of Employment	185	66	111	60	46	8
Time and Attendance	49	186	327	218	190	39
Training	82	63	93	61	55	14
Other	0	310	580	382	405	117

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<b>29 CFR §1614.704(f)</b>													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."	Previous Fiscal Year Data											Number	Ave. Days
	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	2009 Q1		
	2004		2005		2006		2007		2008				
	All complaints pending in Investigative Stage	1614.704	758	74	1240	132	904	174	460	122	552	117	565
All complaints pending in Final Agency Action Stage	(f) (1)	649	396	692	78	109	619	207	454	175	422	178	409
All complaints pending in which Hearing was not requested	1614.704	586	300	692	164	95	585						
Time in Investigation Stage	(f) (2)							417	284	548	259	172	394
Time to issue Final Agency Action		586	223	692	86	95	221	417	217	548	191	172	192
All complaints pending in which a Hearing was requested	1614.704	586	77	692	78	442	72	417	67*	548	68*	6084	*61
Time in Investigation Stage	(f) (3)							326	235	291	201	1082	512
Time to issue Final Agency Action		521	240	548	93	763	588						
		521	223	548	85	763	213	326	222	291	193	1082	191
		521	17	548	8	381	11	326	13	291	8	1114	14

\* This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 14 days; said delay computed from the start of the Final Action Stage [see Sec. 1614.702(g)] to receipt of the investigative file in OEDCA. Actual processing time in OEDCA was 47 days.

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					2009 Q1
	2004	2005	2006	2007	2008	
Total Complaints Dismissed by Agency	476	510	404	414	389	85
Average days pending prior to dismissal	71.9	59.8	52.9	54.03	54.3	67.24

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2009 Q1
	2004	2005	2006	2007	2008	
Total Complaints Withdrawn by Complainants	222	209	188	219	203	33





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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data												
	Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2009 Q1	
		2004		2005		2006		2007		2008		#	%
		#	%	#	%	#	%	#	%	#	%		
<b>Total Number Findings 704(k)(1)</b>	36		33		18		34		24	100%	5	100%	
Appointment/Hire	2	6%	1	3%	4	24%	1	3%					
Assignment of Duties	2	6%	1	3%			2	6%	1	4%			
Awards			1	3%			2	6%					
Conversion to Full-time													
Disciplinary Action	5	14%	3	10%			1	3%	2	8%			
Demotion													
Reprimand							1	3%					
Suspension									2	8%			
Removal													
Other													
Duty Hours							1	3%					
Evaluation Appraisal							1	3%	1	4%			
Examination/Test									1	4%			
Harassment	10	29%	6	19%	2	12%	3	9%	6	25%			
Non-Sexual	9	26%	4	13%	1	6%	3	9%	3	12%			
Sexual			2	6%	1	6%			3	12%			
Medical Examination			2	6%			1	3%	1	4%			
Pay (Including Overtime)					1	6%	2	6%					
Promotion/Non-Selection	6	17%	7	23%	3	18%	10	29%	3	12%	3	60%	
Reassignment			1	3%			2	6%	4	17%			
Denied													
Directed			1	3%			2	6%	4	17%			
Reasonable Accommodation	7	20%	7	23%	5	29%	6	18%	4	17%			
Reinstatement													
Retirement													
Termination	4	11%	8	26%	3	18%	6	18%	5	21%			
Terms/Conditions of Employment	3	9%		0%									
Time and Attendance	2	6%	4	13%			1	3%	1	4%			
Training	1	11%		0%	1	6%					1	20%	
Other	6	17%	1	3%			6	18%	6	25%	1	20%	

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data												
	Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2009 Q1	
		2004		2005		2006		2007		2008		#	%
		#	%	#	%	#	%	#	%	#	%		
<b>Findings After Hearing 704(k)(3)</b>	22		20		12		28		12	50%	5	100%	
Appointment/Hire	1	50%			4	100%	1	100%					
Assignment of Duties	1	50%	1	100%			2	100%					
Awards			1	100%			2	100%					
Conversion to Full-time													
Disciplinary Action	2	40%	2	67%			1	100%	1	50%			
Demotion	0	0%											
Reprimand	1	100%					1	100%					
Suspension	1	100%	1	50%					1	50%			
Removal													
Other			1	100%									
Duty Hours							1	100%					
Evaluation Appraisal							1	100%	1	100%			
Examination/Test													
Harassment	7	70%	5	83%	2	100%	2	67%					
Non-Sexual	7	78%	4	100%	1	100%	2	67%					
Sexual			1	50%	1	100%							
Medical Examination			1	50%			1	100%					
Pay (Including Overtime)							2	100%					
Promotion/Non-Selection	6	100%	6	86%	2	67%	9	90%	3	100%	3	60%	
Reassignment			1	100%			2	100%	2	50%			
Denied													
Directed			1	100%			2	100%	2	50%			
Reasonable Accommodation	5	71%	2	29%	2	40%	5	83%	1	25%			
Reinstatement													
Retirement													
Termination	2	50%	5	63%	3	100%	4	67%	3	60%			
Terms/Conditions of Employment	2	67%											
Time and Attendance	2	100%	4	100%			1	100%	1	100%			
Training	1	100%			1	100%					1	20%	
Other	5	83%					5	83%	3	50%	1	20%	

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29 CFR §1614.704(k)  Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2009 Q1	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(k)(1)</b>	36		33		18		34		12	50%	5	100%
<b>Findings Without Hearing 704(k)(2)</b>	14		13		6		6	18%			0	
Appointment/Hire	1	50%	1	100%								
Assignment of Duties	1	50%										
Awards												
Conversion to Full-time												
Disciplinary Action	3	60%	1	33%					1	50%		
Demotion												
Reprimand												
Suspension			1	33%					1	50%		
Removal	1	100%										
Other	2	100%										
Duty Hours												
Evaluation Appraisal												
Examination/Test									1	100%		
Harassment	3	30%	1	17%			1	33%	6	100%		
Non-Sexual	2	22%					1	33%	3	100%		
Sexual	1	100%	1	50%					3	100%		
Medical Examination			1	50%								
Pay (Including Overtime)					1	100%						
Promotion/Non-Selection			1	14%	1	33%	1	10%				
Reassignment									2	50%		
Denied												
Directed									2	50%		
Reasonable Accommodation	2	29%	5	71%	3	60%	1	17%	3	75%		
Reinstatement												
Retirement												
Termination	2	50%	3	37%			2	33%	2	40%		
Terms/Conditions of Employment	1	33%										
Time and Attendance												
Training												
Other	1	17%	1	100%			1	17%	3	50%		

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					2009 Q1
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years 704(l)(1)	1041	758	503	711	581	1738
Total Complainants 704(l)(2)	913	645	461	640	527	1552
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	7	6	21	2	0	348
ROI issued, pending Complainant's action	55	7	13	6	5	112
Hearing	806	633	415	587	509	1077
Final Agency Action	162	112	53	93	51	178
Appeal with EEOC Office of Federal Operations	NA	NA*	NA*	NA	16	23

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2009 Q1
	2004	2005	2006	2007	2008	
Number Pending Completion of Investigation	752	356	281	456	549	565
Pending Investigations Over Required Time Frames	21	40	72	50	38	68